

AO 91 (Rev. 5/85) Criminal Complaint

~~SCANNED~~

# United States District Court

DISTRICT OF

UNITED STATES OF AMERICA

v.

Melvin Richardson  
 170 Oakgrove Avenue  
 Springfield, MA  
 (Name and Address of Defendant)

**CRIMINAL COMPLAINT**CASE NUMBER: *Q3mj6082-KPN*

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 30, 2003 in Hampden county, in the Western District of Massachusetts defendant(s) did, (Track Statutory Language of Offense) having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, possess in or affecting commerce, two firearms

in violation of Title 18 United States Code, Section(s) 922 (g) (1)

I further state that I am a(n) Special Agent with the ATF and that this complaint is based on the following facts:

Please see the attached affidavit of Agent James Martin

Continued on the attached sheet and made a part hereof:

 Yes No

Signature of Complainant

Sworn to before me and subscribed in my presence,

10-31-2003

Date

at

Springfield, MA

City and State

Kenneth P. Neiman  
 United States Magistrate Judge

Name &amp; Title of Judicial Officer

Signature of Judicial Officer

**Affidavit of Special Agent James P. Martin**

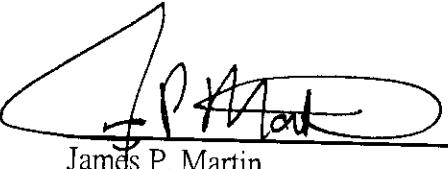
**I, James P. Martin, being duly sworn, do hereby depose and state the following:**

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, and Firearms ("ATF") and have been so employed since May 1999. Previously, I was employed as a Police Officer with the Town of Bellingham Massachusetts Police Department for approximately five years. I am responsible for investigating and enforcing the federal firearms laws.
2. From my training and experience, I know it is a violation of Title 18, United States Code, Section 922(g)(1) for a person to possess any firearm or ammunition in or affecting commerce, if that person was previously convicted of a crime punishable by imprisonment for a term exceeding one year.
3. From my training and experience, I also know that it is a violation of Title 18, United States Code, Section 924(c)(1) for any person to use or carry a firearm during or in relation to, or possess a firearm in furtherance of, a drug trafficking crime or federal crime of violence.
4. The information contained in this affidavit is based on my personal involvement in this investigation, my training and experience, my review of documents, and

information provided to me by other law enforcement officers. This affidavit is submitted in support of a criminal complaint charging Melvin Richardson, date of birth November 18, 1965, Social Security Number 026-58-8556, with violations of Title 18, United States Code, Sections 922(g)(1), 922(g)(8), and 922(a)(5). As such, this affidavit does not contain all the information I possess about this investigation, but only that which is necessary to support the criminal complaint.

5. On August 8, 1983, RICHARDSON was convicted in Springfield District Court of Mass. Gen. Laws Ch. 266, §17, Breaking and Entering and Larceny from a Dwelling. The maximum sentence at that time for a conviction of this crime was ten years imprisonment in a state prison.
6. On March 2, 1990, RICHARDSON was convicted in Hampden Superior Court of Mass. Gen. Laws Ch. 265, §15A, Assault & Battery Dangerous Weapon. The maximum sentence at that time for a conviction of this statute was ten years in the State Prison.
7. On March 2, 1990, RICHARDSON was convicted in Hampden Superior Court of Mass. Gen. Laws Ch. 265, §15A, Assault & Battery Dangerous Weapon. The maximum sentence at that time for a conviction of this statute was ten years in the State Prison.

8. On October 30, 2003, RICHARDSON met with an ATF undercover agent at Page Boulevard on Springfield for the purpose of trading an ounce of crack cocaine for two firearms. This meeting had been pre-arranged through conversation between RICHARDSON and the ATF undercover agent.
9. On October 30, 2003, RICHARDSON arrived in his car and entered the car of the ATF undercover agent. At that time, RICHARDSON personally gave the ATF undercover agent 29 grams of crack cocaine. The ATF undercover agent gave RICHARDSON the two firearms. RICHARDSON was subsequently arrested by other ATF agents after he exited the undercover agent's care in possession of the two firearms.
10. One firearm is a semi-automatic, TEC-9. I know that TEC-9's are not manufactured in Massachusetts, and therefore, this gun satisfies the interstate commerce nexus. The other firearm is a semi-automatic, 9 mm. It's manufactured in Italy, and therefore, this gun satisfies the interstate commerce nexus.



James P. Martin  
Special Agent  
Bureau of Alcohol, Tobacco and Firearms

Subscribed and sworn to before me this 31 day of October 31, 2003.



KENNETH P. NEIMAN  
UNITED STATES MAGISTRATE JUDGE